



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Application Number: 3015955

Applicant Name: Heather Johnston for Inhaus Development, LLC

Address of Proposal: 5601 20th Ave NW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story, 35-unit residential building with 3 live-work units (3,206 sq. ft.) and retail (1,884 sq. ft.) at street level. Parking for 34 vehicles will be located below grade. Existing structure to be demolished.

The following Master Use Permit components are required:

Design Review (No Departures) (SMC Chapter 23.41)

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Determination of Non-significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site:

Site Zone: NC3-65

Nearby Zones: (North) NC3-65
(South) NC3-65 and NC3-85
(East) NC3-65
(West) NC3-65

Lot Area: 7,800 square feet

Current Development:

This site is located in central Ballard. The subject property is located on the northwest corner of 20th Ave NW and NW 56th St on the same block as the Ballard Library and the recently completed Greenfire site. The site slopes gradually from the north down to the south. The existing structure is an early 20th century 1-story commercial building. There is no alley adjacent to the site.



Surrounding Development and Neighborhood Character:

Nearby development includes a variety of structures. Newer development tends to be 6-8 stories tall. Older buildings include 1-2 story commercial and residential structures, mostly constructed in the early to mid-20th century. Mixed-use residential and retail buildings are concentrated to the south and west, with a few to the north and east. Some nearby sites are also proposed for residential or mixed-use development.

The site is located north of NW Market Street, within the area designated under the Ballard Municipal Center Master Plan. NW Market Street includes a dense concentration of retail and restaurant uses, with additional commercial uses to the south. Historic downtown Ballard is located to the southwest, across NW Market St.

NW 56th St includes commercial uses, but at a lower density than Market Street and areas to the south. The areas to the north transition quickly to multi-family and single family residential development.

Nearby recreational opportunities include Ballard Commons Park one block to the west, Ballard Pool a few blocks to the northeast, and Ballard Locks approximately 12 blocks to the southwest. Bus and bus rapid transit are located near the site at NW Market St, 15th Ave NW, and 24th Ave NW.

INITIAL EARLY DESIGN GUIDANCE MEETING: September 30, 2013

The packet includes materials presented at the meeting, and is available online by entering the project number (3015955) at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
 P.O. Box 34019
 Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicant noted that the proposed program includes smaller live-work spaces that are intended to provide opportunities for creative small businesses. The intent of the development program is to encourage creative collaboration between residents and tenants of the building.

The applicant described a design parti of salt crystals surrounded by a solid mass. The “salt crystals” would be represented by a glazed corner element with operable window walls, similar to the images shown on new EDG packet sheet 5.1.1. The solid mass would be composed of more opaque durable materials. The party walls at the north and west property lines would be treated with various solid materials and the intent of providing visual interest. The north wall would be designed as a backdrop for the adjacent building (currently a funeral home).

All the schemes showed the building massing pushed to the north and east, to allow increased light and air to the proposed residential units. The schemes with parking showed a shared vehicular and pedestrian entry. The applicant explained that the intent is to design this area as a woonerf. The driveway would have a different slope than the adjacent walkway, and would be separated from the walkway by a handrail or planters.

The applicant provided new EDG packet sheets with a fourth option, showing additional articulation based on the same massing as the first three options. The applicant clarified that the proposed development is anticipated to be condos rather than apartments.

The applicant explained that the massing options are fairly similar, reflecting the firm’s determination that other massing options had too many problems, such as lack of light and air for interior units. The applicant also noted that the driveway access location is based on the direction of the Ballard Municipal Center Master Plan (to place driveway access on Streets rather than on Avenues).

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- Displeased with new development across the City in general.
- Attorney representing Greenfire development spoke in support of the high quality design concept, and offered comment on the proposal:
 - Option D appears to be a positive design direction, but the proposed design should be based on creative massing.
 - Common outdoor amenity areas are important in Ballard, so there needs to be a usable amount of common outdoor amenities as well as private deck areas.
 - The garage access off 56th needs to be carefully treated, especially if it’s combined with residential entry.
 - The proposed development should include an analysis of shadow impacts to nearby properties. Greenfire has a solar array and wants to continue to have it be functional, in coordination with new infill development.
 - Greenfire found that a parking utilization study was helpful in determining the amount of parking that should be included with their development. The applicant should also provide an on-street parking utilization study for their own benefit and sizing needs.

SECOND EARLY DESIGN GUIDANCE MEETING: October 28, 2013

The packet includes materials presented at the meeting, and is available online by entering the project number (3015955) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

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The applicant noted that the preferred option has been modified since the first EDG meeting, and now shows a retail space at the corner and a reduction from six to three live-work units.

In response to concerns raised at the Initial EDG meeting, the applicant explained that the Seattle City Light power line near the intersection will be undergrounded, which won't require upper level building setbacks.

The applicant described the primary benefits and challenges of the various massing options. Option A responds to the corner, but results in a reduced amount of parking, increased building mass, a larger area of blank wall, and a potentially landlocked courtyard. Option B includes an entry courtyard at the east façade with secondary lobby access to NW 56th St, but may also result in a landlocked west residential courtyard and difficult parking circulation. Option C was shown as the revised preferred massing with a lobby at the northeast corner and a secondary residential access from NW 56th St, a second floor residential courtyard at the southwest corner, retail at the intersection, and solid waste storage accessed from the driveway ramp at the southwest corner. The applicant noted that the preferred option includes less blank wall than other options. Blank walls would be treated with trellises on the west façade and a mix of materials on the north façade.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- Would prefer to see the garage entry remain as shown on NW 56th St. Cyclists use 20th Ave NW and the preferred location will minimize potential conflicts between cyclists and drivers.
- Concerned about the proposed lack of parking.
- Wanted assurance that the proposed height will be consistent with nearby 6-story development.
- Support for the context and EDG analysis shown in the presentation.

FINAL RECOMMENDATION MEETING: April 21, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3015955) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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DESIGN DEVELOPMENT

The proposed materials included metal siding at the upper levels of the building, with brick and stone at the base, and cementitious siding at the lower levels of the north and west facades. The southeast corner and the elevator tower on the north façade include a variety of metallic tones and panel widths to express the ‘salt crystal’ of the design concept. The southeast corner also includes angled clear anodized silver colored metal posts from floors 2-7 to further enhance this concept. The applicant explained that the intent is to provide a ‘shimmering’ appearance in the ‘salt crystal’ areas, to contrast with the solid darker tones elsewhere on the building. The other areas would be clad in red box rib metal. The cementitious siding would be in the same color, in lower building areas that are less visible in the context of nearby development.

The stair tower located at the southwest courtyard would be open, clad in woven wire mesh and planted with vines. The applicant clarified that there is a notch between the south edge of the stair tower and the building edge, in order to enhance the appearance of the stair tower as a separate element of the building.

The applicant explained that the overall project intent is for sustainability to foster interaction between residents/tenants of the building, and between the building and the neighborhood. As an example, the 2nd floor courtyard is designed close to the edge of the building and at a level to allow interaction with people on the sidewalk.

The primary residential entry was shown at the east façade, with a secondary entry/exit for residents at the south façade. The secondary entry is adjacent to the solid waste storage. The street façade of the solid waste storage is treated to complement the secondary entry, with landscaped planters and seating.

The live-work units on the east façade are designed with setbacks and treatment for privacy, while still allowing commercial uses to functionally use the space. The windows and entries are recessed, allowing a street level patio space and weather protection through upper floor

overhangs. The interior spaces include display ledges and roll shades to provide visual screening without closed blinds.

The applicant also clarified that the base of the building would be designed with split faced CMU, topped with a precast concrete cap and brick above, in response to the nearby context of early 20th century structures with a rustic stone base and brick above. The intent is to provide light mortar in the dark brick.

Signage would be provided in etched glass at the building entry, with opportunity for individual business signage on the address panels or canopies.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- Supported the quality of the proposed design, and wanted to ensure that it remains at the same quality through construction. If the materials change, it should come back to the Design Review Board for additional review.
- Appreciated the blank wall treatment materials and detailing.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE (SEPTEMBER 30, 2013):

- 1. Massing Options:** The EDG packet effectively included one massing option, with articulation and provision of parking as the only differences between Options A, B, C, and D. The Board noted that they need to see analysis of different massing alternatives in response to the specific site, streetscape, and nearby context before adequate guidance can be provided.
 - a. The Board noted that the site is located on a corner lot and offers opportunities for more massing alternatives than the ones shown in the packet. (A-1, A-10, B-1)
 - b. The Board clarified that possible massing alternatives should explore the placement of the building mass and open spaces on site. (B-1)
 - c. The applicant should demonstrate how the proposed open space program relates to the building program for each massing option. (A-7)
 - d. The Board noted that the existing power lines may result in an upper level setback at the southeast corner, which would affect the massing options. The applicant should continue working with Seattle City Light and provide updated massing options in response to any requirements. (A-1, B-1)
- 2. Blank Walls:** The Board expressed concern that the massing alternative shown at the EDG meeting presented a large amount of potential blank wall area due to the extensive wall area at the shared property lines.

- a. The Board would like to see massing options that provide more opportunity for glazing and modulation at the shared property lines. (A-5, B-1, D-2)
- b. The Board noted that the appearance of the north and west walls will be visible above the adjacent development. The applicant should demonstrate how the design of these walls will relate to the adjacent development, and the appearance of these walls from the northwest and northeast. (B-1, D-2)

3. Entries and Ground Floor: The Board expressed concern that the ground floor of the building in each massing option indicates potentially difficult building entries, and may lack sufficient area to accommodate the mailbox and solid waste needs.

- a. The deep entry point, the long narrow walkways to the pedestrian entry, and the shared vehicular/pedestrian entry appears to conflict with the Design Review Guidelines. (A-3, A-8, C-5, D-1)
- b. The applicant should explore other pedestrian entry options, possibly locating the entry and lobby at the corner, and separating the pedestrian entry from the vehicular entry. The Board suggested looking at nearby older residential buildings for corner entry design context. (A-3, D-1)
- c. The applicant should demonstrate how the ground floor will be designed to respond to lobby needs (mailboxes, etc.) and solid waste collection. The Board expressed concern about the applicant's intent to provide solid waste collection through the lobby corridor to the east street frontage. (A-3, D-6)

4. Landscape and Materials: The Board was supportive of conceptual landscape response to adjacent nearby conditions and the conceptual material palette response. (E-1)

SECOND EARLY DESIGN GUIDANCE (OCTOBER 28, 2013):

1. Massing: Massing Option C is acceptable, with some modifications. (B-1)

- a. Option B offers a large entry courtyard, and appears to provide more efficient circulation to the elevators and stairs. The courtyard provides both the potential for a gracious entry to the building, and a significant point of modulation in the east façade. The Board offered support for the preferred massing Option C, but directed the applicant to explore the possibility of combining a break in the 20th Ave NW massing and a courtyard entry location. (A-3, B-1)
- b. The Board noted that the preferred Option C appears to offer the best parking access, circulation, and open space placement. (A-1, A-7, A-8, C-5, D-6)
- c. The southwest second floor open space is adjacent to the building stair tower. The Board recommended that the stairs be exterior to the building or highly transparent, responding to nearby context such as the Greenfire site, and providing activation and visual interest for the residential open space. (A-7)
- d. The Board recommended that the concept of solid and transparent masses should be contrasted strongly, in order to express the architectural concept. (A-10, B-1, C-2)

2. Blank Walls: Blank walls should be treated to reduce the perceived scale and to provide visual interest. (A-5, D-2)

- a. The Board noted that preferred Option C still includes large amounts of potential blank wall area at the north property line, but the overall massing has been revised in a positive direction. (A-5, B-1)
- b. The Board supported a dynamic strong graphic or other visually interesting façade treatment on the blank walls that enhances the proposed design concept or reflects nearby context (salt crystal concept, sustainability, historic type signage, etc.). (A-1, C-2, D-2)

3. Entries and Ground Floor: The entries and revised ground floor plan shown in the preferred alternative respond well to the Initial EDG. (A-3, C-5, D-1)

- a. The Board supported the concept of designing the live-work units to function as future retail spaces. (A-3, A-8, C-5, D-1)
- b. The Board noted appreciation for the analysis of building entry options shown in the Second EDG presentation. (A-3, D-1)

4. Landscape and Materials: Board continued to be supportive of the conceptual landscape response to adjacent nearby conditions and the conceptual material palette response. (E-1)

FINAL RECOMMENDATIONS (APRIL 21, 2014):

- 1. Landscaping.** The Board was concerned about sufficient screening for residents near the common access to the southwest roof deck, and sufficient plant material on the southwest stair tower.
 - a. The Board recommended a condition to provide taller vegetation in the planters in front of the windows on either side of the southwest stair tower. (A-7)
 - b. The Board noted that the proposed plant material on the southwest stair tower will grow approximately 30' high, not the 5 stories shown in the packet. The Board recommended a condition to modify the proposed plant material to cover more of the southwest stair tower, similar to the drawings in the Recommendation packet. This could include a combination of vines from below and hanging from above, or planters on the stair tower. (E-2)
- 2. Materials.** The Board noted that the proposed quality of materials, the proposed roll-up glazed garage doors at the retail spaces, the provision of planters, and the amount of plant material is critical to the design concept and the response to nearby context.
 - a. The Board recommended a condition that changes to the pattern of materials, quality of materials, glazed roll-up garage doors, or amount of planters and landscaping would require additional Design Review Board review and recommendation. (C-2, C-4)
 - b. The Board observed that the choice of light mortar and dark brick at the base may conflict with the strong expression of muted darker “solid” portions of the building vs. the lighter metallic varied panels in the “salt crystal” portions of the building. The

- Board therefore recommended a condition to modify the mortar color to more closely match the proposed dark brick. (C-2, C-4)
- c. The Board suggested that the applicant could consider providing additional overhead weather protection at the east façade, but declined to recommend a condition for this item. (D-1)
 - d. The Board also suggested including glazing at the south end of the corridor, adjacent to the southwest stair tower, but recognized that it may require fire rated glass and therefore declined to recommend a condition for this item. (C-2, C-4)

DESIGN REVIEW GUIDELINES

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- **West, North and East sides of the park:** Buildings are encouraged to create a consistent two-story street wall with ground related entries. Development above the base should be set back and/or modulated to increase solar exposure to the street and other public places.
- **South side of the park:** Cultural and civic uses are planned in this area. However, if mixed use development occurs, a consistent street wall with a two story minimum base is encouraged. Development should be set back above the two story height and/or modulated in a manner that enhances solar exposure to the park.

- A-3 Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- **West side:** Access to the front doors of townhouse residences should be provided via a paved and well lit pedestrian connection. The non-residential development west of the park should provide at least two separate retail entrances on 24th Avenue NW. Residential access (both vehicular and pedestrian) is most appropriate on NW 58th Street.
- **Streets:** The mid-block pedestrian connection should foster social contact in a safe environment. New development is highly encouraged to front retail and/or townhouse style units on the mid-block connection at street level. To further promote vitality and safety in the pedestrian experience, entries to retail and townhouse units should be placed in an identifiable and engaging manner.

- A-5 **Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- A-7 **Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- A-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

Ballard-specific supplemental guidance:

In Neighborhood Commercial (NC) zones, vehicular entrances are discouraged on the avenues. When absolutely necessary, they should be limited to right turn ingress and egress only. Vehicular access to sites is most appropriate along NW 56th, 57th, and 58th Streets. Commercial vehicular access is most appropriate on NW 56th and/or NW 57th Streets. New at-grade parking areas should minimize exposure to the street edge. At-grade parking areas and driveways are discouraged directly adjacent to the park. Where curbcuts are provided, the number and width should be minimized.

- A-10 **Corner Lots.** Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.
- B-1 **Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

Ballard-specific supplemental guidance:

Development Surrounding the Park

- **West, North and East sides of the park:** In general, the overall development massing should maximize the solar access to the park through careful massing arrangement of the upper levels, set back above a two-story base containing townhouse style units.
- **South side of the park:** Civic and cultural uses are anticipated to be developed along the south edge of the park. However if mixed use development does occur, it should provide a consistent street wall with a two-story minimum height. Development should be set back above the two story height and/or modulate the facade to enhance solar exposure to the park.
- **Mixed Use Development on North-Side Avenues:** Buildings should maintain a consistent street wall up to a minimum of two stories and provide a setback(s), particularly on the west side of the avenue, beyond three stories to enhance solar access to the street and avoid a ‘canyon’ effect.
- **Mixed Use and Residential Development on East-West Streets:** Same as above, except with setbacks particularly on the south side of the street beyond three stories to enhance solar access to the street. Buildings should provide façade modulations

that break down the scale of larger developments to recall the underlying original 50' parcel widths.

- C-2 **Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.
- C-4 **Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.
- C-5 **Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.
- D-1 **Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Ballard-specific supplemental guidance:

- **Guidelines:** New development is encouraged to contribute to a mid-block, north-south connection system for pedestrians. Active, pedestrian-oriented commercial design and/or ground related town house units are encouraged to extend from the street facing facade and front the pedestrian connection path, thereby contributing visual interest and more opportunity for social contact.
- **Mixed Use Development:** Continuous overhead weather protecting canopies are encouraged on buildings adjacent to the sidewalk. Transparent or translucent canopies along the length of the street provide welcome weather protection, define the pedestrian realm, and reduce the scale of taller buildings.

- D-2 **Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

Ballard-specific supplemental guidance:

Active, open, interesting building facades are strongly encouraged, particularly on sites adjacent to the park.

- D-6 **Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Ballard-specific supplemental guidance:

Service areas, loading docks and refuse should be internal to the development or carefully screened, especially on sites directly adjacent to the park.

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.
- E-2 Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

DEVELOPMENT STANDARD DEPARTURES

None.

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated April 21, 2014, and the materials shown and verbally described by the applicant at the April 21, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended **APPROVAL** of the subject design with the following conditions:

Conditions:

- 1. Provide taller vegetation in the planters in front of the windows on either side of the southwest stair tower. (A-7)**
- 2. Modify the proposed plant material to cover more of the southwest stair tower, similar to the drawings in the Recommendation packet. This could include a combination of vines from below and hanging from above, or planters on the stair tower. (E-2)**
- 3. Changes to the pattern of materials, quality of materials, glazed roll-up garage doors, or amount of planters and landscaping would require additional Design Review Board review and recommendation. (C-2, C-4)**
- 4. Modify the mortar color to more closely match the proposed dark brick. (C-2, C-4)**

Applicant response to Recommended Design Review Conditions:

1. The landscape plans have been modified to add Fishpole Bamboo in front of the residential windows on either side of the southwest stair tower, as shown in the MUP plans. The proposed response satisfies condition #1.
2. The landscape plans have been modified to add Boston Ivy on the stair tower, as shown in the MUP plans. The proposed response satisfies condition #2.
3. Condition #3 will be verified prior to the Final Certificate of Occupancy, as conditioned at the end of this document.
4. The mortar color has been modified to Custom Building Products #185, "new taupe," as shown in the MUP plans. The proposed response satisfies condition #4.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this document.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 19, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The public comment period ended on January 29, 2014. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency

regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions; views from scenic routes; height, bulk and scale; traffic and transportation; and parking impacts warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project."

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Historic Preservation

The existing structure on site is more than 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structure on site is unlikely to qualify for historic landmark status.

Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis (Traffic Impact Analysis of Saltworks, TENW Project No. 3325, dated December 12, 2013).

The Transportation Impact Analysis noted that the residential peak parking demand for this development is 52 vehicles and peak commercial parking demand is 3 vehicles. The peak demand hours of the residential uses are opposite the peak demand hours for retail, so the peak total parking demand is for 52 vehicles. The proposed number of parking spaces was increased from 19 to 34. The increased number of parking spaces (34) would accommodate most of the anticipated parking demand, with possible spillover demand for 18 parking spaces.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in portions of Urban Villages that are within 1,320 feet of frequent transit service, such as this site. Regardless of the parking demand impacts from residential uses, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

The parking demand for the commercial uses (peak demand for 3 vehicles) is minor and doesn't warrant mitigation.

Therefore no mitigation is required for parking impacts, either residential or commercial.

The Traffic Impact Analysis noted that the project is expected to generate a net total of 107 daily vehicle trips, with a net reduction of 1 AM Peak Hour trip, compared with the existing uses, and 13 net new PM Peak Hour trips. The additional trips would have minimal impact on levels of service at nearby intersections.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed

environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

None.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
2. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).
3. Changes to the pattern of materials, quality of materials, glazed roll-up garage doors, or amount of planters and landscaping would require additional Design Review Board review and recommendation. (C-2, C-4)

For the Life of the Project

4. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: _____ (signature on file) Date: July 21, 2014
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

SB:bg